

Philip A. Hart Democratic Club
31119 Rothbury Way
Chesterfield Twp., MI 48047
810-598-8926

RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

SEP 21 2 45 PM '99

September 15, 1999

Federal Election Commission
Washington D.C. 20463

Attention: Kenneth A. Davis, Jr.

RE: Philip A. Hart Club Federal Election Account; I.D. No. C00224717
12 Day Pre-General Report(10/1/98-10/14/98)

Dear Kenneth Davis:

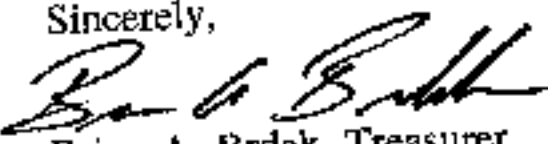
In reply to your letter of September 1, 1999:

1. As treasurer of the Philip A. Hart Club, I was not aware that a nonconnected committee was subject to an aggregate limit of \$5,000 per calendar year. The committee is in error of accepting \$5,000 on 10/13/98 from the Philip A. Hart Dem. Club General Account. The committee will take the appropriate action to return the contribution, however at the present time funds are not available to do so. As you advised in our conversation on September 15, 1999, the committee will list the \$5,000 as a debt owed to the Philip A. Hart Club General Account until it can repay the contribution. The committee will make every effort to insure that this type of error does not occur again.

2. The Philip A. Hart Club has made no payments for administrative expenses. The club does not have an office, telephone, utilities, salaries, or office equipment. All services have been provided by volunteers.

Thank you for your assistance.

Sincerely,


Brian A. Brdak, Treasurer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Brian A. Brdak, Treasurer
Philip A. Hart Democratic Club
31119 Rothburg Way
Chesterfield TWP, MI 48047

SEP 1 1999

Identification Number: C00224717

Reference: 12 Day Pre-General Report (10/1/98-10/14/98)

Dear Mr. Brdak:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) preclude a committee and its affiliates from receiving contributions from another political committee or person in excess of \$5,000 per calendar year.

A nonconnected committee may be sponsored by a partnership or another type of unincorporated association. However, most forms of support received by a committee from such an organization are contributions, subject to limits, prohibitions and disclosure. Thus, a sponsoring organization is subject to an aggregate limit of \$5,000 per calendar year.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeded the limits, you must seek reattribution of the contribution pursuant to 11 CFR §110.1(k), transfer-out the amount in excess of \$5,000 to an account not used to influence federal elections or refund the excessive amount to the donor(s) in accordance with 11 CFR §103.3(b). In the best interest of your committee, all reattributions, transfers-out, and refunds should be made within sixty days of the

treasurer's receipt of the contribution(s). In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of granting written authorization for a reattribution or transfer-out to another account or receiving a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Your report discloses no payments for administrative expenses. Administrative expenses are payments made for the purpose of operating a political committee including, but not limited to, rent, utilities, salaries, telephone service, office equipment and supplies. Any such payments to a person aggregating in excess of \$200 in a calendar year must be disclosed on Schedule B, supporting Line 21(b) of the Detailed Summary Page. 2 U.S.C. §434(b)(5) If these expenses are being paid by a connected organization, your Statement of Organization must be amended to reflect this relationship. 2 U.S.C. §433(b)(2) In addition, if expenses have been incurred but not paid in a reporting period, the activity should be disclosed as a debt on Schedule D, if the obligation is \$500 or more, or outstanding for sixty days or more. 11 CFR §104.11

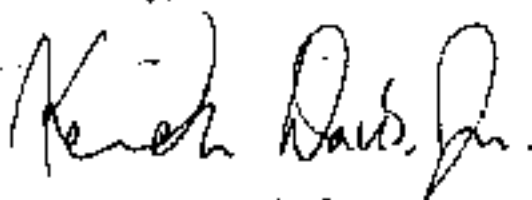
Any goods or services provided to your committee by a person, except volunteer activity (i.e., a person's time), would be considered an in-kind contribution from that person, and would be subject to the disclosure requirements of 2 U.S.C. §434(b)(3) and 11 CFR §104.13, and the limitations and prohibitions of 2 U.S.C. §§441a and 441b.

Clarification regarding administrative expenses should be disclosed during each two year election cycle beginning with the first report filed in the

non-election year. Please verify that all expenses referenced above (i.e., rent, salaries, utilities, etc.) have been adequately disclosed. If these services have been provided by volunteers, please confirm this in writing.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Davis, Jr.", with a stylized flourish at the end.

Kenneth A. Davis, Jr.
Reports Analyst
Reports Analysis Division

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

A. Full Name, Mailing Address and ZIP Code

Philip A. Hart Dem. Club -
General Act.
3119 Rathbury
Chesterfield, MO 64047

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$ 10,000

10-18-98

5,000.00

Receipt For: ☐ Primary ☐ General☒ Other (specify):

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt This Period

Occupation

Aggregate Year-to-Date > \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

5,000

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s)
for each category of the
Detailed Summary PagePAGE 1 OF 1
FOR LINE NUMBER 124

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for nonpolitical purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

Philip A. Hart Democratic Club - Federal Acct.

A. Full Name, Mailing Address and ZIP Code

Philip A. Hart Dem. Club -
3119 Rothbury General
Chesterfield MI 48047 Account

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$ 5000

Receipt For: ☐ Primary ☐ General☒ Other (specify):

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)Amount of Each
Receipt this Period

Occupation

Aggregate Year-to-Date \$

Receipt For: ☐ Primary ☐ General☐ Other (specify):

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

5000.00

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

☐

Hand Delivered

Date of Receipt

☐

First Class Mail

POSTMARKED

☒

Registered/Certified Mail

POSTMARKED

9-16-99

☐

No Postmark

☐

Postmark Illegible

☐Received from the House office of Records
and Registration

Date of Receipt

☐Received from the Senate Office of Public
Records

Date of Receipt

☐

Other (Specify):

Postmarked

and/or Date of Receipt

☐

Electronic Filing

ML

PREPARER

9-21-99

DATE PREPARED